IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 533 OF 2006
IN
APPEAL FROM ORDER NO. 224 OF 2006

Avinash V. Khandekar & Ors. ... Petitioner
V/s.
Deshmukh & Co. & Ors. ... Respondent

Ms. Madhuri Deshpande for the petitioner.
Mr. S.G. Karandikar for respondent No.1.

CORAM : A.M. KHANWILKAR, J.
DATED : 26th June, 2006

P.C.

. The explanation offered in this application is not acceptable. Sufficient time was given to the applicants to comply with the conditional order. The argument that due to oversight affidavit of service could not be filed is unacceptable. However, as the litigant should not suffer for the mistake of the advocate, Application is allowed in terms of prayer clauses (a), (b) & (c) on condition that the advocate on record for applicant shall personally pay cost of Rs. 750/- to High Court Legal Services Committee within one week from today, failing which, this application be treated as dismissed for non-prosecution.

[A.M. KHANWILKAR,J.]